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COE

Patent No. 7,069,674

Request for Cert. of Correction dated October 3, 2006

Attorney Docket No. 0388-031685



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,069,674 Confirmation No. 4959
Inventor : Kazuyoshi ARII
Issued : July 4, 2006
Title : Hydraulic Circuit For Backhoe
Examiner : Thomas A. Beach
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch
Patent Issue Division

Certificate
OCT 11 2006
of Correction

Sir:

In accordance with 35 U.S.C. §254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO's error and request that a Certificate of Correction be issued in the above-identified patent. The following error appears in the patent as printed:

Face of the Patent, See Item (56) References Cited, FOREIGN PATENT DOCUMENTS, add:
JP 08-199632 08/1996

Respectfully submitted,

THE WEBB LAW FIRM

By Russell D. Orkin

Russell D. Orkin
Registration No. 25,363
Attorney for Registrant
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219
Telephone: (412) 471-8815
Facsimile: (412) 471-4094

OCT 12 2006

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 1 of 1

PATENT NO. : 7,069,674
APPLICATION NO. : 10/649,601
ISSUE DATE : July 4, 2006
INVENTOR : Arii

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

See Item (56) References Cited,

FOREIGN PATENT DOCUMENTS, add

JP 08-199632 08/1996

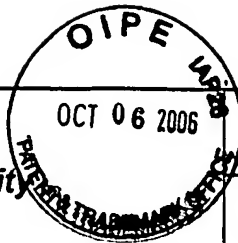
MAILING ADDRESS OF SENDER: The Webb Law Firm
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1845

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.

OCT 12 2006

**Supplemental
Notice of Allowability**



Application No.

10/649,601

Examiner

Thomas A. Beach

Applicant(s)

ARII, KAZUYOSHI

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to IDS filed 03/10/05.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying Indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 03/10/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Thomas A. Will
Supervisory Patent Examiner
Oct 11 2006

Information Disclosure Statement

1. The information disclosure statement filed 03/10/05 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. There is no copy of the foreign reference JP08-199632 has been submitted and therefore has not been considered. Reference JP 01-0223276 on the IDS appears to be incorrect since reference JP 01-0223226 was supplied and considered, as noted by the correction.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A Beach whose telephone number is 571-272-6988. The examiner can normally be reached on Monday-Thursday, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached at 571-272-6998. The fax phone numbers for the organization where this application or proceeding is assigned are 703.872.9306 for regular communications and 703.872.9306 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.4198.



Under the Paperwork Reduction Act of 1995 no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Approved for use through 10/31/2001. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for GPO 1-49A PTO

(use as many sheets as necessary)

Complete if Known

Application Number	10/649,601
Filing Date	August 26, 2003
First Named Inventor	Kazuyoshi ARAI
Art Unit	3671
Examiner Name	Thomas A. Beach
Attorney Docket Number	0388-031685

Sheet	1	of	1
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U.S. PATENT DOCUMENTS

[illegible]

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ²
		Office ³	Number ⁴	Kind Code ⁵				
		JP	2001-050209		KAYABA IND.CO. LTD	02-23-2001		partial
TA		EPO	819 795	A1	SHIN CATERPILLAR MITSUBISHI LTD.	01-21-1998		
		EPO	0 393 342	A2	KUBOTA LTD.	10-24-1990		
		JP	01-223276		KUBOTA LTD.	09-06-1989		
		JP 08-198632			MITSUBISHI LTD.	08-08-1996		
					MAGH CO. LTD.			

Examiner Signature	INSEAD	Date Considered	6/4/85
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with NIPED 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**



THE WEBB LAW FIRM

700 Koppers Building

436 Seventh Avenue

Pittsburgh, PA 15219-1845

Telephone: 412-471-8815 Facsimile: 412-471-4094

E-mail: webblaw@webblaw.com

**CONFIRMATION
COPY**

FACSIMILE INFORMATION SHEET

Name of Individual: Thomas Beach

Company: USPTO

City and State: Alexandria, VA

Facsimile Number: (571) 273-6988

From: Ryan J. Miller

Total Number of Pages: 9 (including Information Sheet)

Date Transmitted: July 12, 2005

Client No.: 0388

File No.: 031685

Message:

Pursuant to our conversation of July 12, 2005, attached hereto is copy of Japanese Patent Application Publication No. 08-199632.

If you do not receive all pages, please call back as soon as possible. The number is (412) 471-8815.

{W0200414.1}

STATEMENT OF CONFIDENTIALITY

The information in this facsimile is privileged and confidential and is intended only for the use of the named recipient. Disclosure or copying of this document or its contents other than by the named recipient is prohibited. If this document is received in error, it should be returned to sender.

If there are any reception problems, please call 412-471-8815.

EUROPEAN PATENT OFFICE

Patent Abstracts of Japan

PUBLICATION NUMBER : 08199632
PUBLICATION DATE : 06-08-96

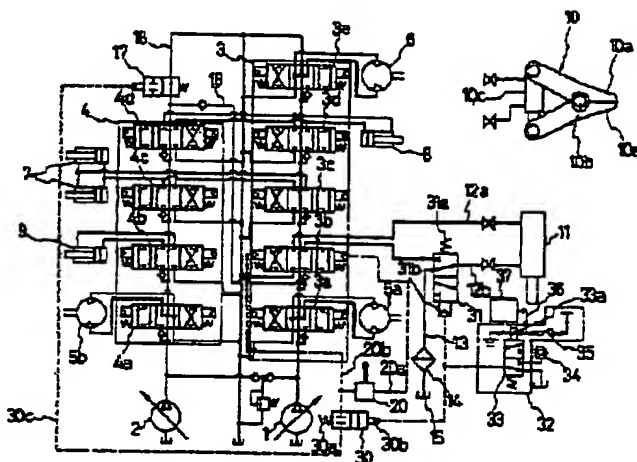
APPLICATION DATE : 20-01-95
APPLICATION NUMBER : 07024491

APPLICANT : HITACHI CONSTR MACH CO LTD;

INVENTOR : YASUDA TOMOHIKO;

INT.CL : E02F 9/22 E02F 3/36 E02F 9/20

TITLE : OIL HYDRAULIC CIRCUIT FOR
HYDRAULIC SHOVEL



ABSTRACT : PURPOSE: To provide an oil hydraulic circuit which can easily and surely carry out a changeover between a crusher actuating mode and a braker actuating mode, and moreover can easily confirm which actuating mode is functioning now.

CONSTITUTION: A pilot flow path switch valve 30 composing a confluence control means and a directional control valve 31 composing a flow path changing means are changed over through hydraulic pilot system, and at ordinary times, severally maintained in a braker actuating mode by reset springs 30a, 31a. In order to change over a changing valve for these pilot flow path switch valve into a crusher actuating mode, an actuating mode changing over means 32 composed of a solenoid change over valve 33 and a switch functioning as its changing over operation section is provided. When an operator turns on the switch 35, pressure oil is supplied from an auxiliary hydraulic pump 34 to the pilot flow path switch valve 30 and the hydraulic pilot parts 30b, 31b of the directional control valve 31, and thereby changed over into the crusher actuating mode. The actuating mode can be confirmed by visual observation on a display panel 37.

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,601	08/26/2003	Kazuyoshi Arii	0388-031685	4959

28289 7590 03/07/2006

THE WEBB LAW FIRM, P.C.
700 KOPPERS BUILDING
436 SEVENTH AVENUE
PITTSBURGH, PA 15219

EXAMINER

BEACH, THOMAS A

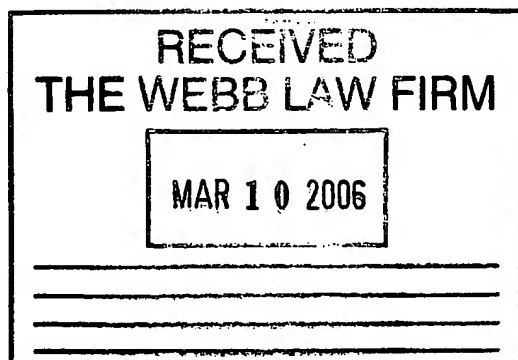
ART UNIT

PAPER NUMBER

3671

DATE MAILED: 03/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



SUPPLEMENTAL
Notice of Allowability

Application No.

10/649,601

Examiner

Thomas A. Beach

Applicant(s)

ARII, KAZUYOSHI

Art Unit

3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

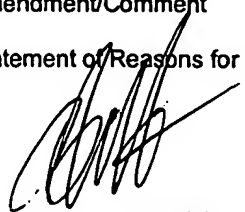
* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 03/10/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 03/01/06.
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.


Thomas B. Will
Supervisory Patent Examiner
Group 3600

Interview Summary	Application No.		Applicant(s)	
	10/649,601		ARII, KAZUYOSHI	
	Examiner		Art Unit	
	Thomas A. Beach		3671	

All participants (applicant, applicant's representative, PTO personnel):

- (1) Thomas A. Beach. (3) ____.
- (2) ____ (4) ____.

Date of Interview: 01 March 2006.

Type: a) ☒ Telephonic b) ☐ Video Conference
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.
If Yes, brief description: ____.

Claim(s) discussed: ____.

Identification of prior art discussed: JP 08-199632.

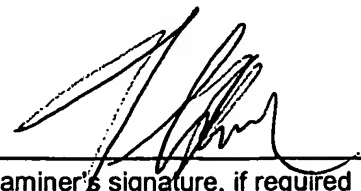
Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant indicated this foreign reference was in the file and thus should be considered on the merits from the IDS filed 03/10/05. Examiner agreed and has send supplemental notice of allowance.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.



Examiner's signature, if required